IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

Bail Appl..No. 7760 of 2006()

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CRIME NO.239/06 OF ARYANCODE POLICE STATION.

: PETITIONERS-ACCUSED (A1 AND A3 TO A6)

1. RABI, S/O.THAMPI, PAZHAMALA,
   MARUTHAMCODE VILLAGE, PAZHAMALA DESOM,
   PERU, KADAVILA VILLAGE.

2. FRANCHI,
   S/O.THAMPI RESIDING AT -DO- -DO-

3. SHAJI,
   S/O.FRANCHI, RESIDING AT -DO- -DO-

4. KUTTAN,
   S/O. FRANCHI, RESIDING AT -DO- -DO-

5. RANJU,
   S/O. FRANCHI, RESIDING AT -DO- -DO-

BY ADV. SRI.R.T.PRADEEP

RESPONDENT:

THE STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7760 OF 2006

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DATED THIS THE 22nd DAY OF JANUARY, 2007

O R D E R

Petitioners who are accused 1 and 3 to 6 in Crime No.239/06 of Aryancode Police Station for offences punishable under sections 143, 147, 148, 447, 326 and 308 read with section 149 IPC, seek anticipatory bail.

2. The occurrence took place on 4.9.2006 at 9.15 PM. The weapons used are chopper and wooden stick. The injuries include lacerated wound on the occipital region of the husband of the de facto complainant.

3. Learned Public Prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But, at the same time, I am inclined to grant the petitioners an opportunity to surrender before the Investigating Officer for the purpose of interrogation and then to have their regular bail application considered on merits by the Magistrate expeditiously. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 23.1.2007 and 26.1.2007 for the purpose of custodial interrogation and recovery

of incriminating materials, if any. The petitioners shall thereafter be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioners, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn